

October 10, 2001

Mary L. Cottrell, Secretary
Massachusetts Department of Telecommunications and Energy
One South Station, 2nd Floor
Boston, MA 02114

Re: Petition of Blackstone Gas Company pursuant to General Laws Chapter 164, § 94, and 220 C.M.R. §§ 5.00 et seq., for a General Increase in Gas Rates, D.T.E. 01-50

Dear Ms. Cottrell:

On October 3, 2001, the Department of Telecommunications and Energy ("Department") issued an order of notice requesting comments on the Service Quality Plan ("SQ Plan") filed by Blackstone Gas Company ("Blackstone" or the "Company") on September 21, 2001, in compliance with the Department's Order in *Investigation by the Department to Establish Guidelines for Service Quality Standards*, D.T.E. 99-84 (2001). The Attorney General submits this letter as his initial comments on Blackstone's SQ Plan.

By letter dated July 30, 2001, Blackstone requested a waiver/exemption of the Department's Order in D.T.E. 99-84. On September 21, 2001, the Company filed "refinements" to its waiver/exemption request via the SQ Plan. On August 15, 2001, the Attorney General filed comments objecting to the Company's original waiver/exemption request. Consistent with those comments, the Attorney General now objects to the Company's refinement.

The basis of the Company's arguments in support of its request for a waiver and/or an exemption from certain of the Service Quality Standards relates to the small size of the company. The quality of service afforded the customers of a gas or electric distribution company should not vary depending upon the size of the company. In accordance with his August 15, 2001 comments, the Attorney General again requests that the Department:

- Reject waivers/exemptions for the Service Quality Standards unless Blackstone can demonstrate that compliance would impose an undue compliance burden upon the Company;

- Require Blackstone to provide full and complete support for any proposed deviation from the Department's Service Quality Standards and/or Guidelines; and
- Require Blackstone, if in fact compliance with an established requirement does create an undue burden, to provide alternative measures to safeguard the service quality of its customers while Blackstone undertakes to comply with the Department mandated Service Quality Standards.

In conclusion, the Attorney General urges the Department to reject the Company's original waiver/exemption request, as well as its recent refinements.

Sincerely,

Wilner Borgella, Jr.
Assistant Attorneys General
Regulated Industries Division
Office of the Attorney General
200 Portland Street, 4th Floor
Boston, MA 02114
(617) 727-2200

WB/wb

cc: Jody Stiefel, Hearing Officer
Service List (01-50 & 99-84)